

Note: This Correction Notice was signed 2/1/96 by the Assistant Administrator for Air and Radiation and will soon be published in the FR.

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 63

[AD-FRL]

National Emission Standards for Hazardous Air Pollutants
for Source Categories: Aerospace Manufacturing and
Rework Facilities

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; correction.

SUMMARY: This document corrects an error in the regulatory text of the final rule for national emissions standards for hazardous air pollutants for aerospace manufacturing and rework facilities that was promulgated in the Federal Register on September 1, 1995 (60 FR 45948).

EFFECTIVE DATE: This regulation is effective [insert date of publication in the Federal Register].

FOR FURTHER INFORMATION CONTACT: For general or technical information concerning the standards, contact Mr. James Szykman, Emission Standards Division (MD-13), U. S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711; telephone (919) 541-2452.

SUPPLEMENTARY INFORMATION: Section 112 of the Act requires EPA to promulgate national emission standards for sources of hazardous air pollutants (HAP). On September 1, 1995 (60 FR 45947), the Agency promulgated final standards for the aerospace manufacturing and rework industry. Among other provisions, the rule established a deadline for existing sources to submit an initial notification to the Administrator.

The submittal of an initial notification by owners or operators of existing sources affected by relevant standards is required under § 63.9(b)(2) of the General Provisions to 40 CFR part 63. Section 63.9(b)(2) requires that this initial notification be submitted to the Administrator within 120 days of the effective date of a promulgated NESHAP. In the case of the final Aerospace NESHAP, affected existing facilities would be required to submit an initial notification by December 30, 1995.

However, in paragraph V.H.(2)(a) of the preamble to the proposed aerospace manufacturing and rework NESHAP published in the Federal Register on June 6, 1994 (59 FR 29216), the Agency stated its intent to override the submittal date specified in the General Provisions and to require owners or operators of affected aerospace manufacturing and rework facilities to submit this initial notification ". . . no later than 12 months before the final compliance date

[i.e., by September 1, 1997]" One comment was received concerning the submittal of the initial notification (see Docket Number A-92-20, Entry Number IV-D-31). This commenter requested that the initial notification be submitted within the 120 days specified in the General Provisions. While the Agency generally favors early interaction amongst the regulated community, permitting agencies, and the public, especially in instances where the final compliance date is less than three years from promulgation; the Agency was not compelled to alter its position from that found in the preamble to the proposed rule because of the three years allowed for existing sources to comply. Therefore, the final rule should have indicated requirements for the submittal of an initial notification within 2 years of the effective date of the final standard. However, language specifying the September 1, 1997 date for submittal of the initial notification was mistakenly omitted from the final rule published in the Federal Register. In today's notice, the Agency has corrected this omission and has included the applicable language.

Notice of Correction for Aerospace Manufacturing and Rework
Final Rule

Dated:

Assistant Administrator
for Air and Radiation

The following corrections are being made in the regulatory text for: National Emission Standards for Hazardous Air Pollutants for Aerospace Manufacturing and Rework Facilities published in the Federal Register on September 1, 1995 (60 FR 45948):

§ 63.753 [corrected]

1. Paragraph (a)(1) of § 63.753 on page 45979, column 1, should read as follows:

* * * * *

(a)(1) Except as provided in paragraphs (a)(2) and (a)(3) of this section, each owner or operator subject to this subpart shall fulfill the requirements contained in § 63.9(a) through (e) and (h) through (j), Notification requirements, and § 63.10(a), (b), (d), and (f), Recordkeeping and reporting requirements, of the General Provisions, 40 CFR part 63, subpart A, except that the initial notification requirements for new or reconstructed affected sources in § 63.9(b)(3) through (5) shall not apply. In addition to the requirements of § 63.9(h), the notification of compliance status shall include:

(i) Information detailing whether the source has operated within the specified ranges of its designated operating parameters.

(ii) For each coating line, where averaging will be used along with the types and quantities of coatings the

facility expects to use in the first year of operation. Averaging schemes shall be approved by the Administrator or delegated State authority and shall be included as part of the facility's title V or part 70 permit.

(2) The initial notification for existing sources, required in § 63.9(b)(2) shall be submitted no later than September 1, 1997. For the purpose of this subpart, a title V or part 70 permit application may be used in lieu of the initial notification required under § 63.9(b)(2), provided the same information is contained in the permit application as required by § 63.9(b)(2), and the State to which the permit application has been submitted has an approved operating permit program under part 70 of this chapter and has received delegation of authority from the EPA. Permit applications shall be submitted by the same due dates as those specified for the initial notifications.

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